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The Bank of New York, as Trustee for the
Certificateholders of CWALT, Inc., Alternative
Loan Trust 2005-1CB, Mortgage Pass-Through
Certificates, Series 2005-1CB*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

THE BANK OF NEW YORK MELLON FKA
THE BANK OF NEW YORK, AS TRUSTEE
FOR THE CERTIFICATEHOLDERS OF
CWALT, INC., ALTERNATIVE LOAN
TRUST 2005-1CB, MORTGAGE PASS-
THROUGH CERTIFICATES, SERIES 2005-
1CB.

Plaintiff,

VS.

JEAN BIRMINGHAM, MORTGAGE
ELECTRONIC REGISTRATION SYSTEMS,
INC., SFR INVESTMENTS POOL 1, LLC,
PEARL COVE II HOMEOWNERS
ASSOCIATION, DOE INDIVIDUALS I-X,
inclusive; and ROE CORPORATIONS I-X,
inclusive.

Defendants.

Case No.: 2:17-cv-01030-MMD-EJY

STIPULATION AND ORDER TO STAY PROCEEDINGS

1 SFR INVESTMENTS POOL 1, LLC,

2 Counter/Crossclaimant,

3 vs.

4 THE BANK OF NEW YORK MELLON FKA
5 THE BANK OF NEW YORK, AS TRUSTEE
6 FOR THE CERTIFICATEHOLDERS OF
7 CWALT, INC., ALTERNATIVE LOAN
8 TRUST 2005-1CB, MORTGAGE PASS-
THROUGH CERTIFICATES, SERIES 2005-
9 1CB; MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC. as nominee
beneficiary for MIRAD FINANCIAL GROUP;
JEAN BIRMINGHAM, an individual,

10 Counter/Crossdefendants.

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12 The Bank of New York Mellon, fka The Bank of New York, as Trustee for the
13 Certificateholders of CWALT, Inc., Alternative Loan Trust 2005-1CB, Mortgage Pass-Through
14 Certificates, Series 2005-1CB (**BoNYM**), Pearl Cove II Homeowners Association (**HOA**), and SFR
15 Investments Pool 1, LLC (**SFR**), by and through their respective counsel of record, stipulate and
16 agree to stay proceedings for an additional 90 days. In support of such stipulation, the parties
17 represent as follows:

- 18 1. On February 11, 2020, BoNYM and SFR filed a notice of settlement. (ECF No. 111).
- 19 2. As part of the notice, the parties agreed to stay the litigation for 90 days to allow time
20 for SFR to perform a condition precedent to the agreement.
- 21 3. The parties further agreed to the stay to allow BoNYM and the HOA to continue
22 exploring the potential for settlement.

23 4. Since the court entered the stay, BoNYM and the HOA have reached an agreement,
24 which they are working to finalize.

25 5. BoNYM and SFR, however, need additional time for performance of the condition
26 precedent to the parties' settlement and anticipate 90 days will be sufficient.

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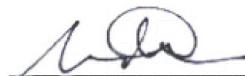
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1 6. The parties agree to stay proceedings for an additional 90 days, with leave to ask the
 2 court to reinstate the parties' respective summary judgment motions within 7 days of the date the
 3 stay is lifted.

4 Dated this 18th day of May, 2020.

<p>AKERMAN LLP</p> <p>/s/ <i>Nicholas E. Belay, Esq.</i> NATALIE L. WINSLOW, ESQ. Nevada Bar No. 12125 NICHOLAS E. BELAY, ESQ. Nevada Bar No. 15175 1635 Village Center Circle, Suite 200 Las Vegas, Nevada 89134</p> <p><i>Attorneys for The Bank of New York Mellon fka The Bank of New York, as Trustee for the Certificateholders of CWALT, Inc., Alternative Loan Trust 2005-1CB, Mortgage Pass-Through Certificates, Series 2005-1CB and Mortgage Electronic Registration Systems, Inc.</i></p>	<p>Hall Jaffe & Clayton, LLP</p> <p>/s/ <i>Ashlie L. Surur, Esq.</i> ASHLIE L. SURUR, ESQ. Nevada Bar No. 11290 7425 Peak Drive Las Vegas, Nevada 89128</p> <p><i>Attorneys for Pearl Cove II Homeowners Association</i></p>
<p>KIM GILBERT EBRON</p> <p>/s/ <i>Diana S. Ebron, Esq.</i> Diana S. Ebron, ESQ. Nevada Bar No. 10580 7625 Dean Martin Drive, Suite 110 Las Vegas, Nevada 89139</p> <p><i>Attorneys for SFR Investments Pool 1, LLC</i></p>	

21 IT IS SO ORDERED.



22

UNITED STATES DISTRICT JUDGE

23 Case No.: 2:17-cv-01030-MMD-EJY

24 DATED: May 19, 2020